

**REMARKS/ARGUMENTS**

In a Final Office Action dated November 5, 2007, claims 1, 2, 6, 9, 12-22, 26, 29, 32-42, 46, 49, 51-62, 66, 69, 71-82, 86, 89, 92-101 and 103-105 were rejected under § 103 over Yamada in view of Munter; and claims 7, 8, 10, 11, 27, 28, 30, 31, 47, 48, 50, 67, 68, 70, 87, 88, 90, and 91 were rejected under § 103 over Yamada in view of Munter and Battle. Applicants request consideration of the following arguments.

**Section 103 Rejections**

**Claims 1, 21, 41, 61, 81 and 101**

Claims 1, 21, 41, 61, 81 and 101 were rejected under § 103 over Yamada in view of Munter. The claims have been amended to better clarify the claimed invention. Specifically, each port of the corresponded ports has been stated as operating at the same rate.

Reviewing Yamada and Munter, neither of those two references shows trunk groups formed from same rate ports where frames in the trunked group are delivered in order, a requirement of the independent claims. Merely mentioning forming a trunk as in Munter does not teach or suggest the requirement of in order delivery. In fact, the Final Office Action states that it would be obvious to “balance the traffic at the logical port and have in order delivery of frames since the links have different capacity, therefore each link has a different rate.” As the claims require that the ports operate at the same rate, this statement is inapposite. Thus one claim element is missing.

The claims further require that any of the physical ports can be corresponded to a logical port to form a trunk. Yamada only indicates one physical port to correspond to a logical port. Munter just mentions trunking, as noted above, and do not indicate how a particular trunk is designated. There is no relationship suggested in the references that allow this flexibility as claimed. Therefore another element is missing.

Then it must be further noted that this flexible correspondence is in addition to the in order delivery requirement for the trunked group formed of the same rate ports. With

both elements missing from the references, the combination of the elements clearly cannot be taught or suggested.

Applicants submit that claims 1, 21, 41, 61, 81 and 101 are allowable over the cited references, so that all of the claims are allowable.

**Claims 17, 19, 37, 39, 57, 59, 77, 79, 97 and 99**

Claims 17, 19, 37, 39, 57, 59, 77, 79, 97 and 99 all require selecting physical ports based on a source and/or destination tag added to the frame. The Office Action cites Yamada, col. 8, lines 8-13. Applicants reference col. 8, lines 4-8, which indicates that the data path manager consults the mapping table to determine the physical port to use. Then the appropriate L1 label is added. Thus Yamada has clearly made its physical port selection before the tag is added, the opposite of the claim requirement where the selection is based at least in part on the tag. Therefore Yamada actually teaches away from the claims. Applicants therefore submit that the claims are allowable.

**Information Disclosure Statement**

Applicants request consideration of the Information Disclosure Statement filed November 9, 2007, which crossed with the Final Office Action.

**CONCLUSION**

Based on the above remarks Applicants respectfully submit that all of the present claims are allowable. Reconsideration is respectfully requested.

Respectfully submitted,

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